



Atty. Dkt. No. 016777-0463

*DAE*  
*FW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Daniel J. DRUCKER et al.  
Title: GLP-2 RECEPTOR GENE PROMOTER AND  
USES THEREOF  
Appl. No.: 09/833,740  
Filing Date: 4/13/2001  
Examiner: Scott D. Priebe  
Art Unit: 1633

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As stated in the Notice of Abandonment mailed October 12, 2005, the above-identified application became unintentionally abandoned in view of the decision of the Board of Patent Appeals and Interference rendered on July 20, 2005 and because the period for seeking court review of the decision has expired and there are no allowed claims.

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Required reply and/or fee;
- (2) Petition fee (37 C.F.R. § 1.17(m));
- (3) Statement that the abandonment was unintentional; and
- (4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

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**(1) Required reply and/or fee.**

The proposed reply and required fee for the above-noted Action in the form of a Continuation Application and Preliminary Amendment pursuant to 37 C.F.R. § 1.53(b) is enclosed herewith.

**(2) Petition fee (37 C.F.R. § 1.17(m))**

A check in the amount of \$1,500.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

**(3) Statement that the abandonment was unintentional.**

Applicants hereby state that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.

**(4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).**

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date

December 13, 2005

By

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